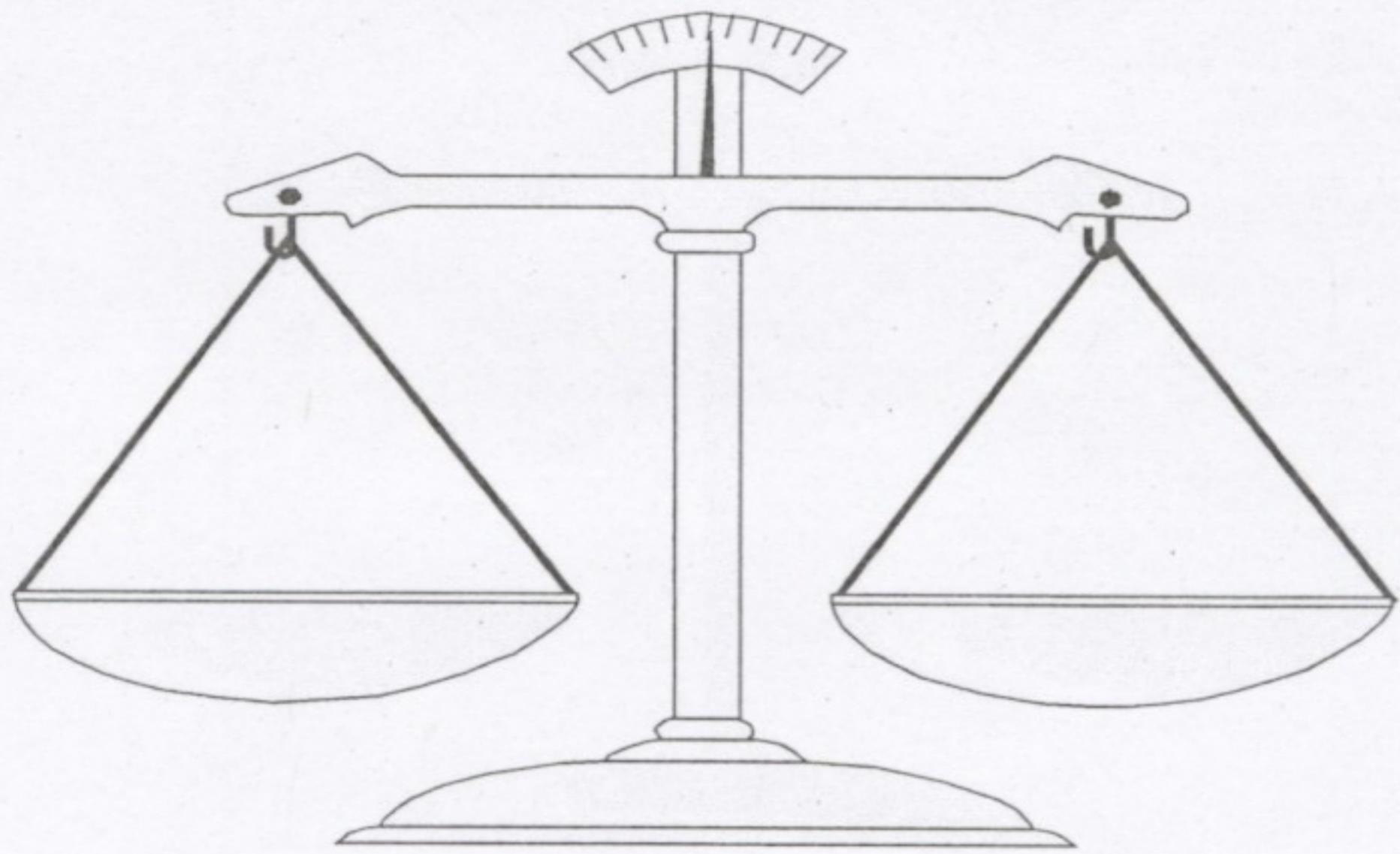


**JUDICIAL BRANCH  
BUDGET REQUEST  
FY 2008 - 2009**



**HOUSE FINANCE COMMITTEE  
February 22, 2007**

## JUDICIAL BRANCH

### BUDGET BREAKDOWN

#### IMPACT OF FOOTNOTE #6 REDUCTION

|       |   |
|-------|---|
| FY 08 | 71 m<br><u>-3m (footnote reduction)</u><br><b>\$68m (<u>maintenance level</u>)</b>    |
| FY 09 | 73.2<br><u>-3.9 (footnote reduction)</u><br><b>\$69.3m (<u>maintenance level</u>)</b> |

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**NOTE:** Since submitting the Judicial Branch budget request in September 2006, we have identified \$550,000 in additional maintenance level expenses for FY 2008. These include additional judge time in the district and probate courts as called for by workload studies and costs related to trial of the case of State v. Addison.

#### **GOVERNOR'S RECOMMENDED BUDGET AFTER FOOTNOTE REDUCTION AND ADDITIONAL GENERAL FUND EXPENSES**

|       |   |
|-------|---|
| FY 08 | 67.5 m ( <b>below maintenance level</b> ) |
| FY 09 | 69.3 m ( <b>maintenance</b> )             |

## 2008-09 Judicial Branch Budget Request OVERVIEW

- The FY 2008-09 Judicial Branch “change” budget request is primarily based on recommendations from the Citizens Commission on the NH State Courts which called for improved services to the public. Top priorities include more case managers, additional clerical staff, training for customer service and enhanced Alternative Dispute Resolution programs, such as mediation. (**SEE Page 3**)
- The state court system handles 225,000 cases a year. An objective, independent analysis by the National Center for State Courts shows that the New Hampshire court system’s clearance rates--the ratio of cases closed to cases filed—has fallen over the last six years. Parties have to wait longer to get decisions in their cases. (**SEE Page 4**)
- The backlog of cases in all levels of court (which is the number of pending cases) has grown by 39 percent since 1997 while the number of filings has increased 17 percent (**SEE Page 5**). The court system is not keeping pace with the existing workload.
- We have sought new solutions to work within tight fiscal realities of state government, including holding positions vacant, greater use of parttime, overtime and interns (all of which saves benefits costs), use of regional clerks instead of individual assignments and aggressive pursuit of private funding for court projects. The Family Division has expanded to 8 additional sites without additional general funds. Despite our best efforts, we need a modest investment of new resources to meet the needs of New Hampshire citizens.
- The court system has been funded below the statutory “maintenance” level since 1998. Maintenance means providing the same level of services as in the previous year. Below maintenance means service is deteriorating. The term “maintenance” does not include any program initiatives.
- There has been no “new” money in the court system budget for program initiatives since 1998.
- In 1997-98, our clearance rate exceeded 100 percent, which meant we were disposing of more cases than were coming into the system. By 2004, that rate had dropped to 94 percent, which means that we are not keeping pace with the work coming into the system.
- A “weighted caseload study” designed by the National Center for State Courts to measure judge and staff time per case showed that in the Superior Court, even with the transfer of domestic cases to the Family Division, the remaining workload justifies 24 judges—2 more than now permitted by law.

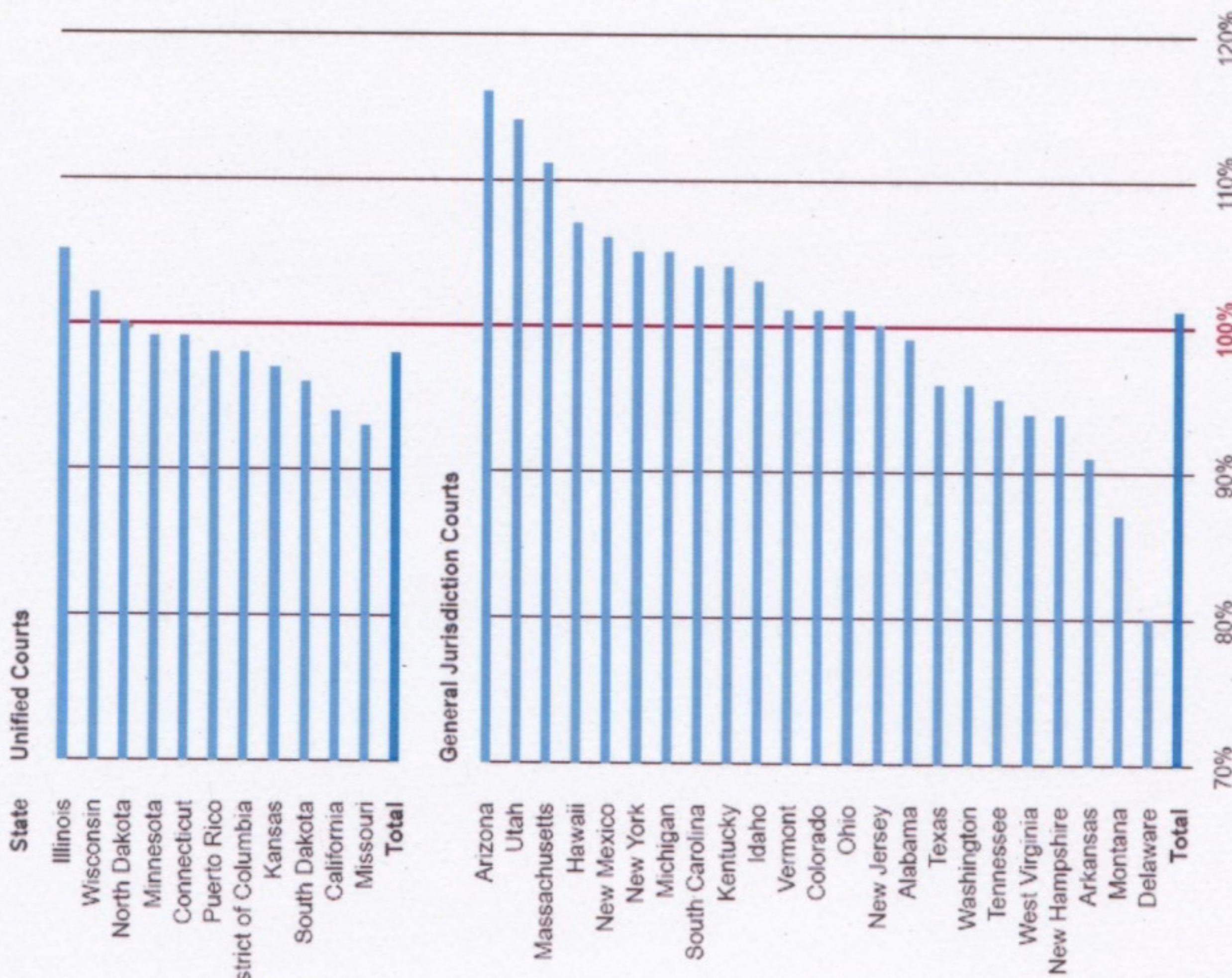
COMPLETE FY 08-09 JUDICIAL BRANCH PRIORITY “CHANGE” ITEMS (**SEE P. 6-13**).  
JUDICIAL BRANCH OPERATING BUDGET AS % OF STATE BUDGET (**SEE P. 14**)

## TOP 6 “CHANGE” PRIORITIES

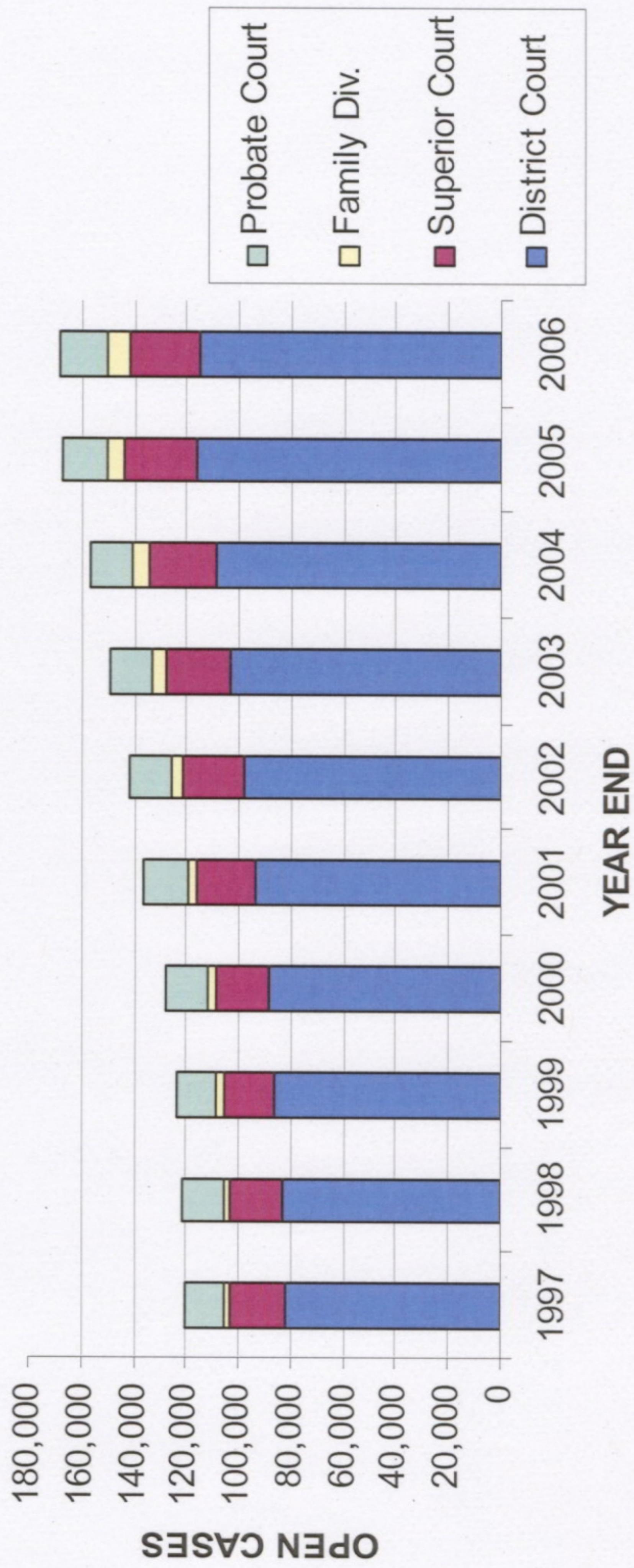
- Hire 9 case managers – 4 in superior court, 2 in probate court, and 3 in family division
  - Hire 10 additional clerical support people in the family division
- Open an ADR Office
- Increase training on delivery of service for judges and staff
- Fund position of chairperson for medical screening panels (RSA 519-B)
- Fund change to merit pay advancement system for staff

**New Hampshire's case clearance rates have fallen below 100% since 2000. In 2006 the ratio was 94%.**

Civil Clearance Rates in Unified and General Jurisdiction Courts in 34 States, 2004



**Since 1997 new case filings have grown by 17%  
while pending cases have grown by 39%**



## 6 ANALYSIS OF CHANGE

(Use Additional Copies if Required)

| DESCRIPTION |      |                                 |
|-------------|------|---------------------------------|
| CATEGORY    | CODE | ADMIN OF JUSTICE & PUBLIC PRTN. |
| DEPARTMENT  | 01   | JUDICIAL BRANCH                 |
| PAU         | 01   | COURT OPERATIONS                |

| ITEM  | AMOUNT             | SOURCE OF FUNDS | EXPLANATION   |
|---|--------------------|-----------------|---|
| <b>FY2008 CHANGE</b>                              | <b>\$3,393,667</b> | <b>G</b>        |   |
| #1 Work to Serve & Educate the Public             | 396,793            | G               | Hire nine case managers-4 in superior court, 2 in probate court, 3 in Family Division. They will assist pro se litigants by helping them to understand the court process, helping them complete forms and answering questions.  |
| #2 Work to Serve & Educate the Public             | 315,937            | G               | Hire 10 additional clerical support positions in the Family Division as supported by the recent weighted caseload study. This will help to relieve the backlog of case processing that exists in some locations.  |
| #3 Work to Serve & Educate the Public             | 115,000            | G               | Provide training on delivery of service for judges and staff; Incorporate productivity training into curriculum   |
| #4 Achieve Progress through Change                | 137,500            | G               | Establish an Alternate Dispute Resolution (ADR) office which will be self-funding in future years   |
| #5 Deliver Results Fairly & Efficiently           | 20,000             | G               | RSA 519-B, Chapter 197:1, Laws of 2005, establishes screening panels for medical malpractice claims. Because of the increasing number of these claims, there will not be enough retired judges to chair the panels. Compensation for the chairperson is authorized under the statute. |
| #6 Recognize our Staff as our Most Valuable Asset | 204,903            | G               | Funding to amend the Judicial Branch merit pay advancement system so that employees who reach the maximum step in their labor grade will receive 2% every two years over ten years, as opposed to the two 5% percent increments that are currently funded.                            |

## 6 ANALYSIS OF CHANGE

(Use Additional Copies if Required)

| ITEM   | AMOUNT  | SOURCE OF FUNDS | EXPLANATION   |
|--|---------|-----------------|---|
| <b>FY2008 CHANGE</b><br>#7 Achieve Progress through Change | 270,555 | G               | Move to full-time judiciary; convert five part time judges to full-time. Four of these are funding for 9 months in FY 08 and a full year in FY 09.  |
| #8 Achieve Progress through Change                         | 344,322 | G               | Add two Superior Court judgeships; this requires a legislative change.  |
| #9 Achieve Progress through Change                         | 363,990 | G               | Contractual services for information technology mentoring for IT staff on forms development, and the Justice Reference Architecture, ECF 3.0, standards for electronic filing.  |
| #10 Work to Serve & Educate the Public                     | 370,753 | G               | Fund 10 of the 25 existing full-time vacancies. These are primarily entry level case processing positions.  |
| #11 Work to Serve & Educate the Public                     | 264,096 | G               | Add 3 Regional Court Clerks and 1 Regional Court Administrator to the Family Division. The Regional Court Clerk positions were contained in the Family Division Implementation Committee's report and in our fiscal note. |
| #12 Recognize our Staff as our Most Valuable Asset         | 66,946  | G               | Increase marital masters' salaries 3% per year until they reach 90% of judicial salaries. Marital master salaries were 90% prior to January 1, 2005.  |
| #13 Achieve Progress through Change                        | 74,150  | G               | Hire a Management Data Analyst to provide statistical reports and analyses.   |

## 6 ANALYSIS OF CHANGE

(Use Additional Copies if Required)

| ITEM   | AMOUNT  | SOURCE OF FUNDS | EXPLANATION  |
|--|---------|-----------------|--|
| <b>FY2008 CHANGE</b>                               |         |                 |  |
| #14 Achieve Progress Through Change                | 32,295  | G               | Hire a part-time Web support person to keep the content on our web site current.   |
| #15 Deliver Results Fairly & Efficiently           | 30,000  | G               | Purchase and install video conferencing equipment in two rural counties to reduce the transportation costs of incarcerated litigants and parties.  |
| #16 Deliver Results Fairly & Efficiently           | 9,520   | G               | Purchase hand held digital recorders for 17 judges and marital masters.  |
| #17 Work to Serve & Educate the Public             | 63,852  | G               | Hire an additional LAN support person to respond to technical inquiries from court staff, to schedule or replace hardware. Will also provide support to police department inquiries on domestic violence restraining orders. |
| #18 Deliver Results Fairly & Efficiently           | 69,541  | G               | Hire one additional law clerk to be shared by the district court and family division.  |
| #19 Recognize our Staff as our Most Valuable Asset | 148,300 | G               | Salary and benefits funding for merit based reclassification   |
| #20 Deliver Results Fairly & Efficiently           | 74,150  | G               | Increase the overtime budget so that backlogs can be addressed more easily.  |

## 6 ANALYSIS OF CHANGE

(Use Additional Copies if Required)

|   |             | DESCRIPTION      |  |
|---|-------------|------------------|--|
| CATEGORY  | CODE        | DESCRIPTION      |  |
| DEPARTMENT  | 01          | JUDICIAL BRANCH  |  |
| PAU   | 01          | COURT OPERATIONS |  |
| ITEM  | AMOUNT      | SOURCE OF FUNDS  | EXPLANATION  |
| <b>FY2008 CHANGE</b><br>#21 Achieve Progress Through Change | 10,299      | G                | Office of Information Technology support services. Inter-agency services.  |
| #22 Recognize our Staff as our Most Valuable Asset          | 10,765      | G                | Hire part-time maintenance person for the Supreme Court, AOC, and Law Library. Maintenance staff have not been able to keep up with the demands for dusting and vacuuming the two buildings. |
| <b>FY 2009 CHANGE</b>                                       | \$4,617,059 | G                |  |
| #1 Work to Serve & Educate the Public                       | 460,715     | G                | Continue salaries & benefits of nine case managers hired in FY 08 and hire one additional case manager in the Family Division.   |
| #2 Work to Serve & Educate the Public                       | 331,729     | G                | Continued salaries and benefits for 10 new Family Division employees as supported by the weighted caseload study.  |
| #3 Work to Serve & Educate the Public                       | 115,000     | G                | Provide training on delivery of service for judges and staff. Incorporate productivity training into the curriculum.   |
| #4 Achieve Progress through Change                          | 0           | G                | ADR office is self funding.  |

## 6 ANALYSIS OF CHANGE

(Use Additional Copies if Required)

| CATEGORY   | CODE | DESCRIPTION                     |
|------------|------|---------------------------------|
| DEPARTMENT | 02   | ADMIN OF JUSTICE & PUBLIC PRTN. |
| PAU        | 01   | JUDICIAL BRANCH                 |

| ITEM  | AMOUNT  | SOURCE OF FUNDS | EXPLANATION  |
|---|---------|-----------------|--|
| <b>FY2009 CHANGE</b>                              |         |                 |  |
| #5 Deliver Results Fairly & Efficiently           | 20,000  | G               | Compensation for the chair of medical screening panels as provided under RSA 519-B.  |
| #6 Recognize our Staff as our Most Valuable Asset | 213,912 | G               | Funding to amend the Judicial Branch merit pay advancement system so that employees who reach the maximum step in their labor grade will receive 2% every two years over ten years as opposed to the two 5% increments over ten years that are currently funded.                     |
| #7 Achieve Progress through Change                | 358,865 | G               | Move to full-time judiciary; convert five part time judges to full time.   |
| #8 Achieve Progress through Change                | 344,322 | G               | Second year funding for two new Superior Court judgehips   |
| #9 Achieve Progress through Change                | 819,000 | G               | Contractual services for information technology mentoring for IT staff on forms development and the Justice Reference Architecture, ECF 3.0, standards for electronic filing. Upgrade Microsoft Office software. Contract for hosted Exchange Server for email and shared calendars. |

## 6 ANALYSIS OF CHANGE

(Use Additional Copies if Required)

| ITEM   | AMOUNT  | SOURCE OF FUNDS | EXPLANATION  |
|--|---------|-----------------|--|
| <b>FY2009 CHANGE</b><br>#10 Work to Serve & Educate the Public | 695,159 | G               | Continued funding for 19 of the 25 existing full-time vacancies. These are entry level case processing positions.        |
| #11 Work to Serve & Educate the Public                         | 277,302 | G               | Second year salaries and benefits for 3 Regional Court Clerks and 1 Regional Court Administrator in the Family Division. |
| #12 Recognize our Staff as our Most Valuable Asset             | 135,894 | G               | Increase marital masters' salaries 3% per year until they reach 90% of judicial salaries.                                |
| #13 Achieve Progress through Change                            | 77,858  | G               | Second year salary and benefits for Management Data Analyst to provide statistical reports and analyses.                 |
| #14 Achieve Progress through Change                            | 32,295  | G               | Second year salary and benefits for part-time Web support person to keep the content on our web site current.            |

## 6 ANALYSIS OF CHANGE

(Use Additional Copies if Required)

| ITEM   | AMOUNT  | SOURCE OF FUNDS | EXPLANATION  |
|--|---------|-----------------|--|
| <b>FY2009 CHANGE</b><br>#15 Deliver Results Fairly & Efficiently | 5,000   | G               | Maintenance agreement for two video conferencing systems installed in rural counties.                  |
| #16 Deliver Results Fairly & Efficiently                         | 571     | G               | Maintenance agreement for hand held recording devices.   |
| #17 Work to Serve & Educate the Public                           | 67,045  | G               | Second year salary and benefits for a LAN support person.  |
| #18 Deliver Results Fairly & Efficiently                         | 142,558 | G               | Second year salary and benefits for one law clerk, and one additional law clerk in the Superior Court. |
| #19 Recognize our Staff as our Most Valuable Asset               | 348,505 | G               | Salaries & benefits for merit based reclassifications.   |
| #20 Deliver Results Fairly & Efficiently                         | 74,150  | G               | Increase overtime budget so that backlogs can be addressed more easily.                                |
| #21 Achieve Progress through Change                              | 10,238  | G               | Office of Information Technology support services.   |

## 6 ANALYSIS OF CHANGE

(Use Additional Copies if Required)

|            | CODE | DESCRIPTION                     |
|------------|------|---------------------------------|
| CATEGORY   | 02   | ADMIN OF JUSTICE & PUBLIC PRTN. |
| DEPARTMENT | 01   | JUDICIAL BRANCH                 |
| PAU        | 01   | COURT OPERATIONS                |

| ITEM                 | AMOUNT | SOURCE OF FUNDS | EXPLANATION  |
|----------------------|--------|-----------------|--|
| FY2009 CHANGE<br>#22 | 10,765 | G               | Part-time maintenance person for the Supreme Court, AOC, and Law Library.  |
| #23                  | 76,176 | G               | Additional maintenance people & equipment for the newly renovated Laconia District Court as requested by the Bureau of Court Facilities. |

# State of New Hampshire FY 2007 Operating Budget

